

REMARKS

I. Introduction

Claims 4, 6, 7, 9, 17, and 18 have been examined and rejected. Upon entry of this amendment, Applicants believe that the pending claims are now in condition for allowance.

II. Response to Rejections

Rejections under 35 U.S.C. § 112

Claims 4 and 17 were rejected under 35 U.S.C. § 112 as being indefinite. Specifically, the Examiner believes that the term “personalized catalogs” is a relative phrase. Therefore, the Examiner has characterized the personalized catalogs as “customized wish list and the ability to store multiple wish list.”

Applicants believe that this is a mischaracterization of the phrase “personalized catalogs” and has repeatedly argued and explained this point. The intended meaning of “personalized catalogs” was clearly discussed in Applicant’s response to the September 27, 2005 Office Action. Specifically, Applicants stated the following:

“First, Rothschild does not disclose the ability to create a “personalized catalog,” especially ones that contain barcodes. In terms of Applicants’ invention, a personalized catalog is defined as a catalog which is created from one of the customized shopping list. The catalog contains, among other things, a picture and/or description of the items in the list along with the item’s barcode. The barcode located next to the item allows a person to easily rescan the item and add it to a shopping cart. Additionally, the personalized catalogs may be distributed around the office for use with the ordering system of the present invention. These, and other advantages of the personalized catalogs, are novel and are not disclosed anywhere in the prior art.” (p. 3)

It should be clear that Applicants intended the “personalized catalogs” to be physical catalogs rather than online shopping lists. First, the claim language specifically states that the catalog is “created from said shopping lists instantly, wherein said personalized catalogs include product information of items within said shopping lists along with an associated barcode.” The term catalog, as used here, refers to a shopping catalog that one

would use for ordering products. Such catalogs are commonly distributed by retail organizations to display their items for sale. Thus, Applicants disclose a novel method of creating personalized catalogs (i.e., catalogs which are dynamically created from lists which have been stored by the user). The catalog layout contains product information, such as a picture or description of the product, next to an associated barcode. To stress this point, Applicants have amended claims 4 and 17 to further make this distinction.

The catalogs are considered personalized because the creator of the catalog is able to pick the contents of the catalog. Therefore, Applicants believe that personalized is not a relative term because it differentiates the created catalogs from other catalogs which do not contain information specified by the user.

Therefore, Applicants do not believe that the amendments submitted February 10, 2006 would require further consideration and/or search because the claim element “personalized catalogs” had already been explained by Applicants prior to the issuance of the December 15, 2005 Final Office Action.

Applicants therefore request reconsideration of the rejections of claims 4, 6, 7, 9, and 17 because they were rejected using the Examiner’s interpretation of “personalized catalogs” and not Applicants’ intended meaning which was already disclosed in the September 27, 2005 Amendment.

It should be clear to the Examiner that, upon review, neither Rothschild, Walsh, Knowlton, nor any combination thereof discloses this claim element.

III. Conclusion

In view of the above amendments, arguments and papers filed herewith, it is respectfully submitted that the final rejections should be reconsidered. The Application is now believed to be in a condition for allowance, which is earnestly solicited.

Respectfully submitted,


Olivier Atta